

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: CV 15-01353 R (RAO) Date: July 8, 2016
Title: Robert Ismael Muriel v. Jeffrey Beard

Present: The Honorable **ROZELLA A. OLIVER, U.S. MAGISTRATE JUDGE**

Gay Roberson	N/A
Deputy Clerk	Court Reporter / Recorder

Attorneys Present for Plaintiff(s):

Attorneys Present for Defendant(s):

N/A

N/A

Proceedings: (In Chambers) **ORDER TO SHOW CAUSE**

On March 4, 2016, the Court issued a Report and Recommendation, recommending that Respondent's Motion to Dismiss be granted. On March 18, 2016, Petitioner Robert Ismael Muriel ("Petitioner") filed a Response to the Report and Recommendation, requesting a stay under *Kelly v. Small*, 315 F.3d 1063 (9th Cir. 2003), so that he may return to state court to exhaust his Petition's unexhausted claims.

On April 14, 2016, the Court granted Petitioner's *Kelly* stay request. In granting the stay, the Court ordered Petitioner to file a status report regarding his state habeas efforts within 30 days of the order and every 60 days thereafter. To date, however, Petitioner has not submitted a status report of his state habeas efforts.

IT IS THEREFORE ORDERED that Petitioner must show cause, in writing, on or before **July 29, 2016**, why this Court should not lift the *Kelly* stay and reissue its Report and Recommendation.

IT IS SO ORDERED.

Initials of Preparer :
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